

Vol 09/724744

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To: U.S. Patent Office
ATTENTION: CERTIFICATE OF
CORRECTION BRANCH
Fax: (571) 273-8300

From: John T. Pienkos
Patentee, U.S. Patent No. 7,272,572
Fax: (414) 228-6881

Date: September 26, 2007

Re: Request for Certificate of Correction and
Accompanying Documentation

Certificate
SEP 27 2007
of Correction

37 Pages Including Cover Page

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I hereby certify that this correspondence is being faxed to the Certificate of Correction Branch at the U.S. Patent and Trademark Office at (571) 273-8300 on the following date: 9/26/07 J. Pienkos

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Number: 7,272,572 B1
Issued: September 18, 2007
Patentee: Pienkos, John T.
Title: METHOD AND SYSTEM FOR FACILITATING THE TRANSFER OF INTELLECTUAL PROPERTY

**REQUEST FOR CERTIFICATE OF CORRECTION OF PATENT
FOR PTO MISTAKE (37 C.F.R. SECTION 1.322(A))**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
ATTENTION: CERTIFICATE OF CORRECTION BRANCH

Dear Sir:

It is requested that a Certificate of Correction be issued correcting printing errors appearing in the above-identified United States Patent.

Attached are six pages of Forms PTO/SB/44, with the text of the Certificate in the suggested form suitable for printing.

REMARKS

The errors requiring correction are due to Patent Office printing errors. The errors in particular include the following:

- 1) a failure to indicate a priority claim to U.S. provisional application no. 60/190,770 on the cover page of the patent;
- 2) seven errors associated with the listing of References Cited on pages 2 and 3 of the issued patent;
- 3) numerous additional omissions from the References Cited listing concerning other references that were submitted to the Patent Office by the Applicant and considered by the Examiner (the listing of these omitted items begins on the second page of the Forms PTO/SB/44 and continues through the first item on the sixth page of the Forms PTO/SB/44);

U.S. Patent No. 7,272,572
Request for Certificate of Correction
Submitted on September 26, 2007

- 4) four errors in the text of the Specification; and
- 5) five additional errors in several of the Claims of the patent.

Correction in accordance with item (1) above is intended to correct the issued patent so that it properly reflects the priority claim to the parent provisional application. The Patentee correspondingly requests that the Patent Office PAIR system also be corrected to reflect this priority claim.

Correction in accordance with item (2) is intended to correct certain minor errors occurring in the References Cited listing of the patent, so that the listed items more accurately reflect the actual references that were considered by the Patent Office during prosecution. Correction in accordance with item (3) is intended to rectify the omission, from the References Cited listing, of numerous additional references that were submitted and considered by the Patent Office during prosecution. The corrections of (2) and (3) do not involve the addition of any new references that were not considered during prosecution.

As for correction in accordance with item (4), this is intended to improve the accuracy of the Detailed Description section of the patent, and to reflect the actual text of the originally-filed application. These changes do not add new matter. Further, with respect to correction in accordance with item (5), this is intended to conform the Claims to the Claims as allowed by the Examiner during prosecution. It is believed that issuance of a Certificate of Correction with these corrections would not change either the scope or meaning of the Claims or add new matter, and that re-examination is not required.

The Applicant has attached certain documentation with this transmission demonstrating that the above-mentioned corrections are needed to correct Patent Office printing errors. The items (1)-(5) below respectively are intended to provide support in relation to the items (1)-(5) above, respectively. In particular, the Applicant has attached:

- 1) copies of 3 pages from a submission by the Patentee received by the Patent Office on January 25, 2001 in which the Patentee amended U.S. patent application no. 09/724,744 to claim the benefit of U.S. provisional patent application no. 60/190,770 (the first of these pages is a copy of the return receipt postcard received back from the Patent Office);
- 2) copy of a Form PTO-892 accompanying the Patent Office action mailed on March 8, 2004, confirming the accuracy of the first correction requested on page 2 of the patent, and additionally copies of 5 pages of Forms PTO/SB/08b initialed by the Patent Examiner and

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U.S. Patent No. 7,272,572
Request for Certificate of Correction
Submitted on September 26, 2007

accompanying the Patent Office action mailed on July 17, 2007, confirming the additional changes to the References Cited on pages 2 and 3 of the patent;

3) copies of 12 pages of Forms PTO/SB/08b initialed by the Patent Examiner reflecting the references that were considered by the Patent Examiner but omitted from the References Cited section of the patent (these initialed pages were included with the Notice of Allowance and Issue Fee(s) Due mailed on May 30, 2007);

4) copy of 3 pages from the Specification of U.S. patent application no. 09/724,744 as originally filed showing the correct text of the Specification; and

5) copy of 3 pages from the Amendment in Accordance with 37 CFR 1.312 submitted by the Applicant on January 28, 2007 indicating the final claims of the patent.

As the errors listed are due to Patent Office printing mistakes, it is believed that no fee is necessary in connection with this Certificate.

The Examiner is requested to contact the undersigned should any questions arise with respect to this Request.

Respectfully submitted,

Dated: 9/26/07

By: 

John T. Pienkos
(414) 228-6881

2007 2 2007

PTO/SB/44 (08-07)

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UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTIONPage 1 of 6

PATENT NO. : 7,272,572 B1
APPLICATION NO.: 09/724,744
ISSUE DATE : September 18, 2007
INVENTOR(S) : John Thaddeus Pienkos

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page, beneath the line stating "(22) Filed: Nov. 28, 2000": Add
--Related U.S. Application Data
(60) Provisional application No. 60/190,770, filed on Mar. 20, 2000.--

On Page 2, in the seventeenth line of column 1 following the heading OTHER PUBLICATIONS: Replace
"Young investment" with --Young's investment--.

On Page 2, in the second-to-last line of column 1: Replace "Achievers" with --Achieves--.

On Page 3, in the fifth line of column 1: Replace "Discovered" with --Discarded--.

On Page 3, in the seventh line of column 1: Replace "Services" with --Service--.

On Page 3, in the nineteenth line of column 1: Replace "P.Co" with --P.C.--.

On Page 3, in the third-to-last line of column 1: Replace "involving" with --including--.

On Page 3, in the twenty-second line of column 2: Replace "www2xfr.com" with --www.2xfr.com--.

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This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

Page 2 of 6

PATENT NO. : 7,272,572 B1
APPLICATION NO.: 09/724,744
ISSUE DATE : September 18, 2007
INVENTOR(S) : John Thaddeus Pienkos

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On Page 3, prior to "** cited by examiner": Add

--"The Making of a Cash Machine", Intellectual Asset Management, Dec./Jan. 2007, p. 33-8.

Web pages from the U.S. Patent and Trademark Office website regarding listing of patents for sale or license in the Official Gazette (OG), obtained at www.uspto.gov, printed on January 19, 2007, 3 pages.

Web pages of Shop4patents.com, obtained at www.shop4patents.com, printed on January 19, 2007, 2 pages.

Web pages of Free Patent Auction, obtained at www.freepatentauction.com, printed on January 19, 2007, 4 pages.

Web pages of Idea Trade Network, obtained at www.newideatrade.com, printed on January 19, 2007, 3 pages.

"New Lawsuits", Techno Bytes, Intellectual Property Today, May, 2005, page 18.

"The Copyright & Patent Wars", Jim Pinto, obtained at www.automation.com, printed on January 18, 2007, original publication date unknown, 4 pages.

"GE Fanuc Settles With Solais Over '318 Patent", obtained at www.managingautomation.com, dated March 10, 2005, printed on January 18, 2007, 2 pages.

"Ebay v. MercExchange: The Law of Patent Injunctions", obtained at patentlaw.typepad.com/patent, dated 3/14/06, printed 1/22/07, 10 pgs.

"Delphion Updates Web Site, Enables Access to Derwent World Patents Index", Nancy Lambert, dated March 19, 2001, obtained at newsbreaks.infotoday.com, printed January 22, 2007, 2 pages.

"Available Patents and Licensing Information", obtained at flicmidatlantic.org, printed on January 22, 2007, 3 pages.

Web pages of Davison, Inc., obtained at www.davison54.com, printed on January 23, 2007, 4 pages.

Web page of M.CAM, Inc., obtained at www.m-cam.com, printed on January 22, 2007, 1 page.

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CERTIFICATE OF CORRECTIONPage 3 of 6

PATENT NO. : 7,272,572 B1
 APPLICATION NO.: 09/724,744
 ISSUE DATE : September 18, 2007
 INVENTOR(S) : John Thaddeus Pienkos

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

"The "Capital Gang-What's the State of Capital in the State Capital?", dated May 17, 1999, obtained at www.dominionpartners.com, printed on January 22, 2007, 4 pages.
 Biography of Dr. David E. Martin, speaker at "Ten Years Hence" speaker series at Univ. of Notre Dame, obtained at www.nd.edu, printed on January 22, 2007, 2 pgs.
 "Measuring Innovation: iplQ Releases the 2006 Patent Scorecard", dated May 10, 2006, obtained at www.prweb.com, printed on January 23, 2007, 2 pgs.
 "IPotential Launches Patent Brokerage Services, Bringing Liquidity to Patent Marketplace", BusinessWire, dated July 27, 2005, obtained at www.findarticles.com, printed on January 23, 2007, 2 pgs.
 "Get it now from Ebay, hostage to the patent trolls", Patti Waldmeir, FT.com, dated March 16, 2006, printed 1/22/07, 2pgs.
 "Battle over Blackberry: Is the U.S. Patent System Out of Whack?", dated March 16, 2006, Knowledge @ Wharton, printed January 27, 2007, 5 pages.
 Web pages of PatentValuePredictor.com, obtained at www.patentvaluepredictor.com, dated/printed 2/17/07, 3pgs.
 "Profile: When Acacia comes knocking", Managing Intellectual Property, dated February 2007, printed 2/15/07, 4 pgs.
 Search results page from Internet Archive Wayback Machine regarding www.acaciaresearch.com, obtained at web.archive.org on 2/17/07, 1 page.
 Web page of Acacia Research Corporation, supposedly dated 11/28/1999 according to Internet Archive Wayback Machine, obtained at web.archive.org, printed on 2/17/07, 1 pg.
 Web pages of University Technologies International, obtained at www.uti.ca, printed 2/15/07, 4 pgs.
 Search results page from Internet Archive Wayback Machine regarding www.uti.ca, obtained at web.archive.org, on 2/17/07, 1 pg.

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UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

Page 4 of 6

PATENT NO. : 7,272,572 B1
APPLICATION NO.: 09/724,744
ISSUE DATE : September 18, 2007
INVENTOR(S) : John Thaddeus Pienkos

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Web pages of University Technologies Int'l Inc., supposedly dated 1/25/1999 according to Internet Archive Wayback Machine, obtained at web.archive.org, printed on 2/17/07, 5 pgs.
Web pages of University Technologies Int'l Inc., supposedly dated 2/18/1997 according to Internet Archive Wayback machine, obtained at web.archive.org, printed on 2/17/07, 6 pgs.
Web pages of University Technologies Int'l Inc., supposedly dated 3/3/00 according to Internet Archive Wayback Machine, obtained at web.archive.org, printed on 2/17/07, 7 pgs.
Web pages of Rembrandt IP Management LLC, obtained at www.rembrandtfund.com, printed 2/15/07, 4 pgs.
Web pages of 1790 Analytics LLC, obtained at www.1790analytics.com, printed 2/15/07, 2 pgs.
Web pages of The Patent Board, obtained at www.patentboard.com, printed 2/15/07, 5 pgs.
Web pages of Research Corporation Technologies, obtained at www.rctech.com, printed on 2/15/07, 3 pgs.
Search results page from Internet Archive Wayback Machine regarding www.rctech.com, obtained at web.archive.org on 2/17/07, 1 pg.
Web pages of Research Corporation Technologies, supposedly dated 12/2/98 according to Internet Archive Wayback machine, obtained at web.archive.org, printed on 2/17/07, 11 pgs.
Web pages of Research Corporation Technologies, supposedly dated 12/30/96 according to Internet Archive Wayback Machine, obtained at web.archive.org, printed on 2/17/07, 4 pgs.
Web pages of Research Corporation Technologies, supposedly dated 11/17/00 according to Internet Archive Wayback machine, obtained at web.archive.org, printed on 2/17/07, 12 pgs.
Web pages of Research Corporation Technologies, supposedly dated 4/27/1999 according to Internet Archive Wayback machine, obtained at web.archive.org, printed on 2/17/07, 11 pgs.
Web pages of BTG, obtained at www.btgplc.com, printed on 2/15/07, 5 pgs.
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CERTIFICATE OF CORRECTION**Page 5 of 6

PATENT NO. : 7,272,572 B1
APPLICATION NO.: 09/724,744
ISSUE DATE : September 18, 2007
INVENTOR(S) : John Thaddeus Pienkos

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

"Intellectual Property Monetization", presentation dated 2005, Russell Barron, 8 pgs.
"Latest Trends in IP Management", presentation dated 11/15/2006, Russell Barron, 12 pgs.
Web pages of Solaia Technology LLC, obtained at www.solaia.com, printed 2/17/07, 2 pgs.
Web pages of WARF (Wisconsin Alumni Research Foundation), obtained at www.warf.org, printed on 2/16/07, 15 pgs.
Web pages of ThinkFire, obtained at www.thinkfire.com, printed on 2/17/07, 2 pgs.
Home page of InterDigital Communications, obtained at www.interdigital.com, printed on 2/17/07, 1 pg.
Home page of Gemstar-TV Guide International, obtained at www.gemstartvguide.com, printed on 2/17/07, 1 pg.
Home page of Thomson Corp., obtained at www.thomson.com, printed on 2/17/07, 1 pg.
Home page of Thomson SA, obtained at www.thomson.net, printed on 2/17/07, 1 pg.
"A Market for Ideas", The Economist, October 22, 2005, pp. 1-14.
Web pages of Alliacense/TPL Group, obtained at www.alliacense.com, 3 pages, printed on 3/9/07.
Web page of Immersion Corporation, obtained at www.immersion.com, 1 page, printed on 3/9/07.
Web pages of DoD TechMatch, obtained at www.dodtechmatch.com, 2 pages, printed on 3/12/07.
Home page of Mosaid Technologies Inc., obtained at www.mosaid.com, printed on 5/18/07, 1 page;
www.mosaid.com.
Web page regarding "Our Team" of Telaric Ideas, obtained at www.telaricideas.com/team.htm, printed on 5/18/07, 1 page; www.telaricideas.com.
Home page of Wi-LAN, Inc., obtained at www.wi-lan.com, printed on 5/18/07, 1 page; www.wi-lan.com.
Web pages of SnapNames, obtained at www.snapnames.com, printed on 5/18/07, 2 pages;
www.snapnames.com.
Web page regarding Bowie Bonds, obtained at en.wikipedia.org/wiki/Bowie_Bonds, printed on 5/18/07, 1 page; en.wikipedia.org/wiki/Bowie_Bonds.

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**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**Page 6 of 6

PATENT NO. : 7,272,572 B1
APPLICATION NO.: 09/724,744
ISSUE DATE : September 18, 2007
INVENTOR(S) : John Thaddeus Pienkos

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

"Patent Pirates", obtained at www.forbes.com/forbes/2007/0507/044-print.html (alternatively at www.forbes.com/free_forbes/2007/0507/044.html?partner=yahoomag), dated 5/7/07, printed on 5/18/07, 2 pages.--

At column 14, line 35: Replace "visitor is an IPIB" with --visitor is an IP--.

At column 14, line 45: Replace "nature of the IPIB" with --nature of the IP--.

At column 19, line 29: Replace "time as an IPIB" with --time is an IP--.

At column 24, line 14: Replace "rights to IPIB" with --rights to IP--.

In claim 15, at column 32, line 19, prior to "retrieve": Delete "and".

In claim 17, at column 32, line 30: Replace ";" with --:--.

In claim 18, at column 32, line 48: Replace "Web" with --web--.

In claim 18, at column 32, line 55: Replace "(b) receiving" with --(b) receiving--.

In claim 20, at column 34, line 1: Replace "(b) receiving" with --(b) receiving--.

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Assistant Commissioner
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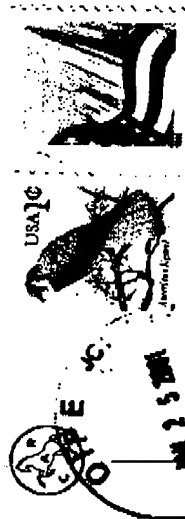
- 1) Transmittal Form
- 2) Information Disclosure Statement
 + 12 cited references
- 3) Preliminary Amendment

5/129
 Ed. Vincenzo Caravullo - Napoli
 Via L. Einaudi, 10 - Tel. (081) 204664

4) Assignment
 Document

5) Fee Transmittal

6) Credit card
 payment form



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<h1>TRANSMITTAL FORM</h1> <p>(to be used for all correspondence after initial filing)</p>	Application Number	09/724 744
	Filing Date	11/28/2000
	First Named Inventor	PIENKOS
	Group Art Unit	—
	Examiner Name	—
Total Number of Pages in This Substantiation	Attorney Docket Number	—

ENCLOSURES (check all that apply)		
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Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	JOHN T. PIENKOS
Signature	<i>John T. Pienkos</i>
Date	December 29, 2000

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: JAN 22, 2001	
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SEP 26 2007**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Pienkos, John T.
Serial No.: 09/724744
Filing Date: December 29, 2000
Title: Method and System For Facilitating
the Transfer of Intellectual Property

Preliminary Amendment

Assistant Commissioner for Patents
Washington, DC 20231

Dear Sir or Madam:

Please insert the following to the specification of the above-identified patent application, at page 1 directly above the heading "FIELD OF THE INVENTION", in order to provide a cross-reference within the specification to an earlier-filed provisional patent application:

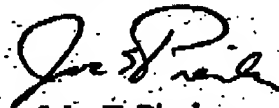
"CROSS-REFERENCE TO RELATED APPLICATION

This application claims the benefit of U.S. Provisional Application No. 60/190,770 filed on March 20, 2000."

The Applicant also respectfully submits herewith the enclosed Information Disclosure Statement and copies of the cited references, in accordance with CFR Sections 1.97 and 1.98.

The Applicant additionally submits herewith an Assignment showing the assignment of the present application by the Applicant to Patentbank L.L.C., and the assignment recordation fee for the Assignment.

Respectfully,


John T. Pienkos

Dated: 12/29/2000
5017 N. Hollywood Ave.
Whitefish Bay, WI 53217

OCT 2 2007

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Notice of References Cited	Application/Control No. 09/724,744	Applicant(s)/Patent Under Reexamination PIENKOS, JOHN THADDEUS	
	Examiner CUONG H. NGUYEN	Art Unit 3625	Page 4 of 4

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
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NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	Unknown, Ernst & Young's investment in Patent & License Exchange, Inc. pl-x.com - give firm stake in future e-business leade Business Wire, 9/08/1999.
	V	
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Information for Items 1442/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (two or more sheets as necessary)		Complete if known	
Application Number	09/774,840	Applicant Name	PIENKOS
Filing Date	11/15/00	First Name of Inventor	PIENKOS
Group A/Led		Group A/Led	
Examiner Name		Examiner Name	
Attorney/Agent Number		Attorney/Agent Number	

Examiner Initials	Doc No.	OTHER PRIOR ART - NON-PATENT LITERATURE DISCLOSURES
✓	1	Brunswald, Brian et al., Drafting Patent License Agreements, 4th ed. (1998), exemplary sections including Table of Contents (pp. v-xi), Chapters 3-3 (pp. 1-40) and Chapter 10 (pp. 91-114)
	2	Copies of web pages of Ernst & Young, found at www.ey.com, dated 9/12/01
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	4	"Getting More Revenue for Your Clients From Their Intellectual Property", presentation by Tad Kline, Alliance Technology Service, Inc., 1998-99, including article "One Man Band", The Business Journal, 5/19/98
	5	"Companies Cash in on 'Discarded' Patents", Technology Business, November/December 1997 (author Nancy Christ Baker), reprinted by Alliance Technology Service, Inc.
	6	"U.S. Companies Ignore More Than \$115 Billion in Technology Assets, Survey Finds", press release by BTG, June 22, 1998, reprinted by Alliance Technology Service, Inc.
✓	7	"Japan Wants to 'Wake Up' Unused Patents", found at www.wired.com, dated 9/13/01 (author Gene Kopravski, article date 3/12/97)

Examiner Signature	James Lunta	Date Disclosed	6/18/07
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Sheet	2	of	2

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✓	8	Additional copies of web pages of LPS Group, found at <u>www.informationholdings.com</u> , dated 7/13/01, "Market Trends"
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Examiner Initial	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, etc.), date (month, day, year), volume/issue number(s), publisher, city and/or country where published.	1
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STATEMENT BY APPLICANT**

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Application Number	Complete if Known
Filing Date	09/724,744
First Named Inventor	11/28/00
Attorney	JOHN T. PIENKOS
Examiner Name	2100
Attorney Doctel Number	

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Priority No.	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the book, magazine, journal, serial, symposium, catalog, etc., date, page(s), volume-issue number(s), publisher, city, state, and country where published
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Application Number 09/724,744

Filing Date 11/28/00

First Named Inventor PIENKOS, JOHN T.

Art Unit 3625

Examiner Name ZURITA, JAMES H.

Attorney Docket Number

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Application Number

09/724,744

Filing Date

11/28/00

First Named Inventor

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Art Unit

3625

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automation.com">www.mnaging automation.com , dated March 10, 2005, printed on January 18, 2007, 2 pages	
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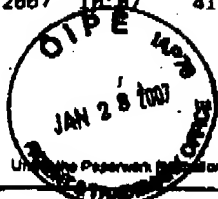
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Complete if known

Application Number

09/724,744

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First Named Inventor

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Art Unit

3625

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✓	-	webpages of Davison, Inc., obtained at www.davison5th.com, printed on January 23, 2007, 4 pages.	
	-	web page of M-CAM, Inc., obtained at www.m-cam.com, printed on January 22, 2007, 1 page	
	-	"The Capital Gang - What's the state of capital in the state capital?", dated May 17, 1999, obtained at www.dominionpartners.com, printed on January 22, 2007, 4 pages	
	-	biography of Dr. David E. Martin, speaker at "Ten Years Hence" speaker series at Univ. of Notre	
	-	"Measuring Innovation 2ipic Dame, obtained at www.und.edu, Releases the 2006 Patent printed on January 22, 2007, 2pp	
	-	Scorecard," dated May 16, 2006, obtained at www.prweb.com, printed on January 23, 2007, 2pp	
	-	"ZPatent Launches Patent Brokerage Service, Bringing Liquidity to Patent Marketplace", BusinessWire, dated July 27, 2005, obtained at www.findarticles.com, printed on January 23, 2007, 2pp	
	-	"Get it now from Ebay, hostage to the patent trolls", Patti Waldmeir, FT.com, dated March 16, 2006, printed 1/22/07, 2pp	

Examiner Signature

James Zurita

Date

Considered

5/17/07

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1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to the (and by the USPTO to process) an application. Confidentiality is governed by 36 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1480, Alexandria, VA 22313-1480. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1480, Alexandria, VA 22313-1480.

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PAGE 32/95 * RCVD AT 1/28/2007 10:22:37 PM [Eastern Standard Time] * SVR:USPTO-EFXXF-519 * DNIS:2732885 * CSID:4142286881 * DURATION (mm:ss):51:38

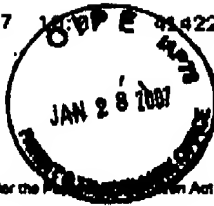
OCT 2 2007

PAGE 22/37 * RCVD AT 9/26/2007 1:27:38 AM [Eastern Daylight Time] * SVR:USPTO-EFXXF-5117 * DNIS:2738300 * CSID:4142286881 * DURATION (mm:ss):22:18

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JOHN PIENKOS

PAGE 33



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Supplemental form 1445B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(File as many sheets as necessary)</i>				Complete # Known Application Number <u>07/724,744</u> Filing Date <u>11/28/00</u> First Named Inventor <u>PIENKOS, JOHN T.</u> Art Unit <u>3625</u> Examiner Name <u>ZURITA, JAMES H.</u> Attorney/Doctet Number _____	
Sheet	<u>4</u>	of	<u>4</u>		

[illegible]

Examiner Signature	James Dunte	Date Considered	5/13/07
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1 Applicant's unique citation designation number (optional). **2** Applicant is to place a check mark here if English language Translation is attached. This subsection of information is required by 37 CFR 1.97 and 1.88. The information is required to obtain or reject a patent by one public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 132 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete.

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Substitute for Form 1449BPTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Application Number	09/724,744
		Filing Date	11/28/00
		First Named Inventor	JOHN T. PIENKOS
		Art Unit	3625
		Examiner Name	ZURITA, JAMES H.
Sheet 1 of 5	Attorney Docket Number		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.†	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	7*
JP	—	web pages of Patent Value Predictor, obtained at www.patentvaluepredictor.com, dated/printed 2/17/07, 3 pgs.	
	—	"Profile: When Acacia comes knocking," Managing Intellectual Property, dated February, 2007, printed 2/15/07, 4 pgs.	
	—	Search results page from Internet Archive Wayback Machine regarding www.acaciaresearch.com, obtained at web.archive.org on 2/17/07, 1 page.	
	—	web page of Acacia Research Corporation, supposedly dated 11/28/1999 according to Internet Archive Wayback Machine, obtained at web.archive.org, printed on 2/17/07, 1 page.	
	—	web pages of University Technologies International, obtained at www.uti.ca, printed 2/15/07, 4 pgs.	
	—	Search results page from Internet Archive Wayback Machine regarding www.uti.ca, obtained at web.archive.org, printed on 2/17/07, 5 pgs.	
	—	web pages of University Technologies Int'l. Inc., supposedly dated 1/25/1999 according to Internet Archive Wayback Machine, obtained at web.archive.org, printed on 2/17/07, 1 page.	

Examiner Signature	James Zurita	Date Considered	5/13/07
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Substitute for form 1449&P/TO		Completes # Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		Application Number	09/724,744
		Filing Date	11/18/00
		First Named Inventor	JOHN T. PIENKOS
		Art Unit	3625
		Examiner Name	ZURITA, JAMES H.
(Are so many sheets as necessary)		Attorney Docket Number	
Sheet	2	of	5

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.†	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume/issue number(s), publisher, city and/or country where published.	T*
J2	-	web pages of University Technologies Int'l Inc., supposedly dated 2/18/1997 according to Internet Archive Wayback Machine, obtained at web.archive.org, printed on	
	-	web pages of University Technologies Int'l Inc., supposedly dated 2/17/07, 6 pages.	
	-	3/3/00 according to Internet Archive Wayback Machine, obtained at web.archive.org,	
	-	web pages of Rembrandt IP Management LLC, printed on 2/17/07, 3 pages.	
	-	www.rembrandtfund.com, printed 2/15/07	
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	-	obtained at www.1790analytics.com, printed 2/15/07, 2 pages.	
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-	web pages of Research Corporation Technologies, obtained at www.rctech.com, printed on 2/15/07, 3 pages.		
-	Search results page from Internet Archive Wayback Machine regarding www.rctech.com, obtained at web.archive.org on		

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02/17/2007 11:04

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JOHN PIENKOS

PAGE 89

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Substitute for form 1449B/PTO		Complete if Known	
		Application Number	09/324,744
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Filing Date	11/28/00
		First Named Inventor	JOHN T. PIENKOS
		Art Unit	3625
		Examiner Name	ZURITA, JAMES H.
		Attorney Docket Number	
Sheet	3	of	5

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Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume/issue number(s), publisher, city and/or country where published.	T*
JT	-	web pages of Research Corporation Technologies, supposedly dated 12/2/98 according to Internet Archive Wayback Machine, obtained at web.archive.org, printed on 2/19/07	
	-	web pages of Research Corporation Technologies, supposedly dated 12/30/96 according to Internet Archive Wayback Machine, obtained at web.archive.org, printed on 2/19/07	
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✓	-	search results page from Internet Archive Wayback Machine regarding www.btgplc.com, obtained at web.archive.org on 2/17/07	
Examiner Signature	James Zurita		Date Considered
			5/13/07

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 4 of 5

Application Number 09/723,244

Filing Date 11/20/00

First Named Inventor JOHN T. PIENKOS

Art Unit 3625

Examiner Name ZURITA, JAMES H.

Attorney Docket Number

Complete if Known FEB 20 2007

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Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issues number(s), publisher, city and/or country where published.	T*
JZ	-	"Intellectual Property Monetization", presentation dated 2005, Russell Barron, 8 pgs.	
	-	"Latest Trends in IP Management", presentation dated 11/15/2006, Russell Barron, 12 pgs.	
	-	web pages of Solara Technology LLC, obtained at www.solara.com, printed 2/17/07,	
	-	web pages of WARF (Wisconsin Alumni Research Foundation), obtained at	
	-	web pages of ThinkFire, www.warf.org, printed on 2/16/07, 15 pgs.	
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Examiner Signature James Zurita

Date Considered 5/13/07

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet 5 of 5

Complete If Known	
Application Number	07/224,744
Filing Date	11/28/00
First Named Inventor	JOHN F. KENNEDY
Art Unit	3625
Examiner Name	JAMES H. ZUBITA
Attorney/Doctel Number	

[illegible][illegible]

Executive Signature	<i>James Lantz</i>	Date Completed	5/3/07
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Substitute for form 1449BPTO		Complete if known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Application Number	09/724,744
		Filing Date	11/28/00
		First Named Inventor	JOHN T. PIENKOS
		Art Unit	3625
		Examiner Name	JAMES H. ZURITA
Sheet 2 of 2	Attorney Doctel Number		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T*
JE	-	"A Market for Ideas", <u>The Economist</u> , October 27, 2005, pp. 1-14	
	-	web pages of Alliacentre / TPL Group, obtained at www.alliacentre.com , 3 pages,	
	-	web page of Immersion Corporation, obtained at www.immersion.com , printed on 3/9/07	
	-	web pages of DoD TechMatch, obtained at www.dodtechmatch.com , 1 page, printed on 3/9/07	
	-	web pages of DoD TechMatch, obtained at www.dodtechmatch.com , 2 pages, printed on 3/12/07	

Examiner Signature	James Zurita	Date Considered	5/13/07
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PAGE 29/37 * RCVD AT 9/26/2007 1:27:38 AM [Eastern Daylight Time] * SVR:USPTO-EFXXF-5/17 * DNIS:2738300 * CSID:4142286881 * DURATION (mm-ss):22:18

05/16/2007 10:59 4142286881

JOHN PIENKOS

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PAGE 02

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Substituted for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Complete if Known Application Number 09/724,744 Filing Date 11/28/00 First Named Inventor JOHN T. PIENKOS Art Unit 3625 Examiner Name JAMES H. ZURITA Attorney Docket Number —	
Sheet		of	

NON PATENT LITERATURE DOCUMENTS			T ^o
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume- issue number(s), publisher, city and/or country where published.	
JK	1	www.mosaicid.com	
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	3	www.Snapnames.com	
	4	en.wikipedia.org/wiki/Bowie_Bonds	
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	6	www.forbes.com/free-forbes/2007/0507/044.html?partner=yahoomag	
Examiner Signature	James Funch		Date Considered 5/18/07

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Substitute for form 1449B/PTO		Complete If Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Application Number	09/724,744
		Filing Date	11/28/00
		First Named Inventor	JOHN T. PIENKOS
		Art Unit	3625
		Examiner Name	JAMES H. ZURITA
Sheet 1 of 1	Attorney Docket Number		

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	6	"Patent Pirates", obtained printed on 5/18/07, 1 page at www.forbes.com/Forbes/2007/0507/04t-print.html (alternatively, at www.forbes.com/free-Forbes/2007/0507/04t.html?partner=yahoo-mag , dated 5/7/07, printed on 5/18/07, 2 pages.	

Examiner Signature	James Zurita	Date Considered	5/18/07
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licensing or selling—for example, in the case of a patent, the patent number, the filing (or issue) date of the patent (e.g., time until expiration of the patent), and/or the inventor can be specified, among other information. Additionally, in the preferred embodiment, IPIB computer system 210 attempts to obtain more specific information summarizing or otherwise indicating the nature of the technology covered by the IP, and the potential products or markets that can be covered by the IP. That is, the nature of the IP refers to, for example, the identity, type, and technological/product/market scope of coverage of the IP assets that are available for transfer, although the nature of the IP is not necessarily limited to these particular concepts.

The information concerning the nature of the IP can allow various determinations to be made by IPIB 110 (either by an employee of the IPIB or automatically by IPIB computer system 210), such as determinations regarding the potential value of the IP, and determinations as to what type of transfer from IP owner 120 to the IPIB would be most appropriate (e.g., license or sale). In the case where the visitor is an IP desirer 130 (step 330(b)), IPIB computer system 210 obtains information regarding the type of IP asset and/or the type of technology that the IP desirer is interested in purchasing or licensing. This information will also allow various determinations to be made by IPIB 110, such as determinations regarding whether the IPIB owns or is currently licensing IP that covers this type of technology.

In performing step 330, IPIB computer system 210 preferably prompts the visitor with a series of questions regarding the nature of the IP that the visitor wants to sell, purchase or license. Alternatively, other forms of data entry are possible; for example, IPIB computer system 210 can provide an on-line questionnaire with one or more fields for the entry of specific data by the visitor, or merely an “open space” in which the visitor can enter whatever information the visitor wants. IPIB computer system 210 can employ graphical user interfaces (GUIs), and also can utilize data entry formats that are personalized for particular users. Further, although obtaining such information via the website of IPIB computer system 210 is the preferred method of operation, the information can also be communicated to the IPIB computer system by having IP owner 120 or IP desirer 130 mail in such information (or otherwise provide such information in another manner) and having an employee of the IPIB input such

allow such objections to be presented (e.g., by checking a box) by a visitor even though the visitor basically accepted the proposed agreement. In such an embodiment, it would be possible for IPIB computer system 210 to receive an acceptance response plus additional comments. (Similarly, in another embodiment, IPIB computer system 210 would be able to provide an acceptance, in response to the objections of the visitor, along with minor comments to the visitor.)

Once an agreement has been reached between the visitor and IPIB 110, payment can be automatically made. In the case of an agreement between IPIB 110 and IP owner 120, a payment is made from the IPIB to the IP owner, in step 370(a). In the case of an agreement between IPIB 110 and IP desirer 130, a payment is received by the IPIB from the IP desirer, in step 370(b). Such payments can be made via the internet by way of standard credit card transactions (if the payments are small enough), particularly in the case of IP desirer 130 paying IPIB 110. In such case, payment includes the receiving of a credit card number (and related information) by IPIB 110 from IP desirer 130, and the debiting of the credit card (in the case where IPIB 110 was using a credit card to pay IP owner 120, IPIB would provide the IP owner with a credit card number and related information). Commonly, the payments are too substantial to be handled using a credit card. In such case, information such as a bank account number and/or routing number can be provided by IPIB 110 to IP desirer 130 or, in the case of a transfer of IP between IP owner 120 and the IPIB, such information is received by the IPIB. Payment in step 370 can include other payment methods known in the art. In the case where IPIB 110 is sublicensing IP that it has licensed from IP owner 120, the IPIB often will not be required to make any royalty payments until such time as an IP desirer 130 pays royalties. In such cases, payment step 370 does not occur immediately or even soon after the conclusion of a licensing agreement between IP owner 120 and IPIB 110. Further, many alternate payment methods are possible besides electronic payment, and in some cases no payments will be made (e.g., a gift of IP) making step 370 unnecessary.

Turning to Fig. 4, a flow chart 400 is provided showing steps of operation of IPIB computer system 210 in relation to computer systems 240 of IP exchange 140. The steps shown are exemplary and are especially applicable with respect to the preferred, internet-oriented embodiment of the IPIB computer system 210 (since present-

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etc.) to confirm that the IP is sound. Performing this status check can require consulting one or more database(s) or other information sources, including database(s) that are and are not part of IPIB computer system 210. Next, in step 515, a market analysis of the IP is conducted, e.g., an analysis of the markets for products that are covered by the IP.

5 Such an analysis can require careful scrutiny of the scope of the IP, and again can require consulting multiple database(s) and also the expertise of individuals both inside and outside IPIB 110. Further, in step 520, a database within IPIB computer system 210 (e.g., part of memory 216) is checked to determine whether any IP desirers 130 have inquired, in the (recent) past, about the type of IP currently being identified by IP owner

10 120. All of this information can be of use to IPIB computer system 210 (and any employees of IPIB 110 who are directing the IPIB computer system) in determining the value of the IP available for transfer from IP owner 130 in step 525. If the IP is determined to have sufficient value, IPIB computer system 210 proceeds to step 340(a) of flow chart 300; however, if the IP is determined to have insufficient value, IPIB computer

15 system 210 provides an indication to IP owner 120 that IPIB 110 does not (at this time) have an interested in buying or licensing this IP.

Flow chart 502 of Fig. 5(b) shows several substeps that, in certain embodiments of the present invention, can be included within step 335(b) of Fig. 3. As discussed, step 335(b) concerns the processing of information from IP desirer 130

20 regarding the nature of IP that the IP desirer wishes to obtain from IPIB 110. As shown, IPIB computer system 210 begins the processing by checking a database (e.g., within memory 216 of the IPIB computer system) of all IP held by IPIB 110 for IP that meets the specifications from IP desirer 130 (provided to the IPIB computer system in step 330(b)). If it is determined that IPIB 110 owns or has license rights to IP that meets the

25 specifications of IP desirer 130, IPIB computer system 210 proceeds directly to step 560, and therefore proceeds directly to step 340(b) of Fig. 3 (since IPIB 110 has appropriate IP to satisfy the needs of the IP desirer). If no relevant IP is found in step 540, flow chart 502 proceeds to step 545, in which a database of IPIB computer system 210 (e.g., again typically within memory 216 of the IPIB computer system) is checked to determine if IP

30 owners 120 have inquired about transferring to IPIB 110 the IP currently desired by IP desirer 130.

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Amdt. Dated 1/28/07

Response to Notice of Allowance dated 1/17/07

aspect of the property ~~rights~~ rights; the evaluation; preparing of the agreement resulting from the negotiating of (f); and preparing of the agreement resulting from the negotiating of (h).

71. (Currently Amended) The method of claim 59, wherein at least some of ~~(a)-(h)~~ (a)-(i) are performed by at least one human being and do not involve the web.

72. (Previously Presented) The method of claim 71, wherein the evaluation is performed at least in part by an employee of the intermediary, and wherein the intermediary is in communication with at least one of the first and second parties by way of at least one email message.

73. (Currently Amended) The method of claim 59, wherein the intermediary interacts with an exchange entity to at least one of browse information available at the exchange entity, and retrieve information from the exchange entity, and to place a first bid in relation to the exchange entity, and respond to a second bid communicated via the exchange entity.

74. (Previously Presented) The method of claim 73, wherein the computer system of the intermediary is in communication with an additional computer system of the exchange entity, and wherein the computer system of the intermediary employs software facilitating interactions with the additional computer system of the exchange entity.

75. (Currently Amended) The method of claim 59, further comprising at least one of:

- (i) comparing at least one of the technological scope of the patent asset, the product coverage of the patent asset, and the market for products covered by the patent asset with additional information received from a plurality of parties concerning needs of those parties relating to patent rights;
- (ii) comparing a first description of a need of at least one additional party relating to patent rights with further information received from a plurality of further parties concerning patent assets available for transfer from those parties; and
- (iii) consulting at least one of a public database and a private database to identify an owner of a desired patent asset and, upon identifying the owner, contacting the owner.

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76. (Currently Amended) A method of facilitating an overall transfer of at least one property interest in a patent asset between first and second parties by way of the web, the first and second parties each being a respective corporate entity, the method comprising:
- (a) providing an interface by way of a computer system of an intermediary by which at least one of the first and second parties can communicate with the intermediary;
 - (b) receiving identification information from at least one of the first and second parties by way of at least one of the web, the internet, a mail delivery, a telephone connection and another communication linkage;
 - (c) obtaining first information concerning the patent asset, wherein the first information includes at least one of a number identifying the patent asset, a filing date, an issue date, expiration information, descriptive information concerning a technical subject matter of the patent asset, product information regarding a product that is within a scope of the patent asset, and market information regarding a market to which the patent asset pertains;
 - (d) verifying at least one aspect of property rights of the first party in the patent asset, wherein the verifying includes checking an ownership status of the patent asset;
 - (e) performing at least one evaluation, wherein the evaluation relates to at least one of a financial value of the patent asset, a technological scope of the patent asset, a product coverage of the patent asset, a market for products covered by the patent asset, and whether there have has been at least one of past inquiries inquiry concerning the patent asset, the evaluation being performed at least in part by an employee of the intermediary;
 - (f) negotiating conditions for transfer of at least some of the first party's property rights;
 - (g) transferring the at least some of the first party's property rights rights to the intermediary based on an agreement resulting from the negotiating of (f), whereby the at least some of the first party's property rights rights become property rights of the intermediary;
 - (h) negotiating conditions for transfer of at least some of the intermediary's property rights; and
 - (i) transferring the at least some of the intermediary's property rights to the second party based on an agreement resulting from the negotiating of (h).

77. (Previously Presented) The method of claim 76, wherein the intermediary is an investment bank for which facilitating intellectual property transfers is a primary business purpose, wherein at least some of (a)-(i) in addition to (e) are performed by at least one human being, and wherein

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the conditions for transfer in (f) include a requirement to transfer at least one of an assignment of the patent asset and a license to the patent asset.

78. (Currently Amended) A method of facilitating an overall transfer of at least one property interest in a patent asset between first and second parties by way of the web, the first and second parties each being a respective corporate entity, the method comprising:

- (a) providing an interface by way of a computer system of an intermediary by which at least one of the first and second parties can communicate with the intermediary;
- (b) receiving identification information from at least one of the first and second parties;
- (c) obtaining first information concerning the patent asset, wherein the first information includes at least one of a number identifying the patent asset, a filing date, an issue date, expiration information, descriptive information concerning a technical subject matter of the patent asset, product information regarding a product that is within a scope of the patent asset, and market information regarding a market to which the patent asset pertains;
- (d) verifying at least one aspect of property rights of the first party in the patent asset;
- (e) performing at least one evaluation, wherein the evaluation relates to at least one of a financial value of the patent asset, a technological scope of the patent asset, a product coverage of the patent asset, a market for products covered by the patent asset, and whether there ~~have~~ has been at least one of past inquiries inquiry concerning the patent asset;
- (f) negotiating conditions for transfer of at least some of the first party's property rights;
- (g) transferring the at least some of the first party's property rights to the intermediary based on an agreement resulting from the negotiating of (f), whereby the at least some of the first party's property rights become property rights of the intermediary;
- (h) negotiating conditions for transfer of at least some of the intermediary's ~~property~~ property rights; and
- (i) transferring the at least some of the intermediary's property rights to the second party based on an agreement resulting from the negotiating of (h),

wherein the transferring in at least one of (g) and (i) occurs by way of an additional exchange entity with which the intermediary interacts, and wherein at least one of (a)-(i) is performed at least in part by way of an employee of the intermediary.

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